

**ATTORNEY - GENERAL
OF THE FEDERATION**

**OFFICE OF THE PRESIDENCY
DODAN BARRACKS**

P.M.B. 2716

LAGOS NIGERIA



Principal Staff Officer
(Security)

Governor Abdulkadir Ahmed CBN
& Perm Sec. Federal Min of Finance
29/09/1993

**FINANCIAL COMMAND INSTRUCTIONS FCI NO 2279 1993 FOR THE
PROTECTION OF DR L.E. WILLIAMS ASSETS PURPORTEDLY FORFEITED TO
THE FEDERAL GOVERNMENT BY 7 MAN MURI OKUNNOLA MILITARY
TRIBUNAL**

Please find enclosed for your signature 4 copies of FCI No 2279 1993
**Fidelity Guarantee and Abiding Memorandum of Understanding of
Assurance** in favour of Dr Williams.

Please Note: Your signature would be your public domain regular
signature (not signature for covert operations since voided and
invalidated) by the C-in-C in 1990.

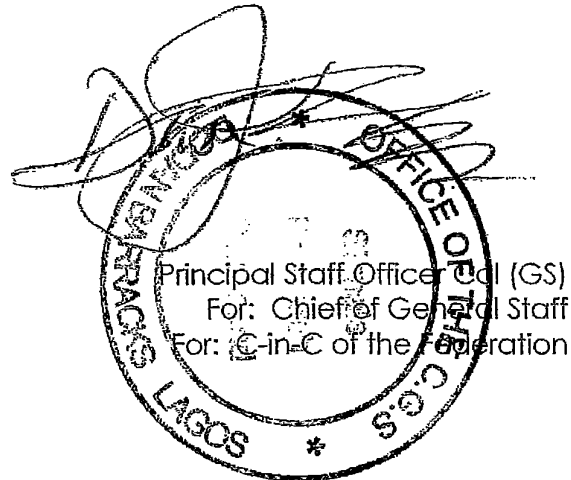
You must send your Director in charge of this case after signature to
return to collect the CBN's copy as endorsed by Chief of General
Staff for retention and necessary action by the CBN.

It is imperative that a copy as authorised and authenticated by the
Presidency should be brought to the actual knowledge of your
successor.

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The presidency wishes you speedy recovery of your health and happy life as you proceed to overseas for the restoration of your health and to begin your retirement.



cc: Supreme Headquarters
Aso Rock Abuja & Lagos x 2

Office of the Attorney General of the Federation
Marina Lagos

Permanent Secretary
Federal Ministry of Finance
Customs House, Lagos

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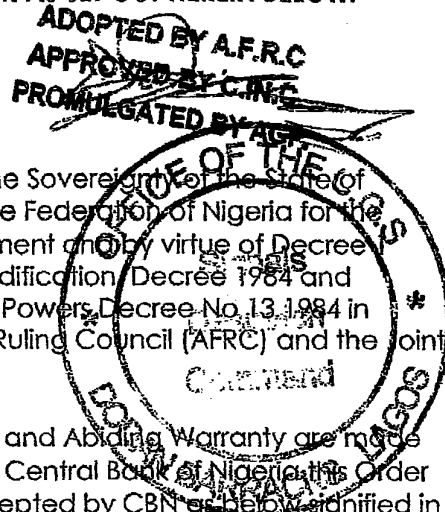
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FINANCIAL COMMAND INSTRUCTIONS ORDER NO 2279 THIS DAY SEPTEMBER 29TH, 1993 ISSUED BY HIS EXCELLENCY C-IN-C TO PROTECT THE ASSETS OF DR L.E. WILLIAMS NOW DOMICILED IN THE UK AS SET OUT HEREIN BELOW:

WHEREAS

- (1) The C-in-C assumed powers of the Sovereignty of the State of Nigeria and therefore governs the Federation of Nigeria for the peace, order and good government and by virtue of Decree Constitution, Suspension and Modification Decree 1984 and Supremacy and Enforcement of Powers Decree No. 13, 1984 in consultation with Armed Forces Ruling Council (AFRC) and the Joint Security Council (JSC).
- (2) Therefore this Fidelity Guarantee and Abiding Warranty are made as an Order for Execution by the Central Bank of Nigeria this Order having been acceded and accepted by CBN as below signified in favour of Dr Louis Emovbira Williams a citizen of Nigeria.
- (3) In 1986 the State Security Services (SSS) and the Central Bank of Nigeria without any lawful authority whatsoever entered into a scheme of unlawful racketeering, deception and criminal conspiracy and in collusion with a British Citizen by the name of Rueben Gale, a Solicitor of England and Wales in the UK and other diverse operatives, servants, officers and agents working for the CBN and SSS both in the UK and Nigeria duped under false



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pretences Dr Williams and deprived him of his sums of money both in Nigeria Naira and US Dollars as mentioned below.

- (4) As a result of the said unauthorised scheme of racketeering, unlawful conspiracy, deception and confederacy under false pretences perpetrated and executed in a friendly country the UK. Dr Williams was swindled and deprived of the following US Dollars. That is to say, US\$6,520,190 (Six Million, Five Hundred & Twenty Thousand, One Hundred and Ninety Dollars).
- (5) Between February 1987–May 1988 Dr Williams was arrested, detained, tried, convicted and sentenced to 10 years imprisonment by Muri Okunnola 7 Man Military Tribunal for economic anti-sabotage offences. A fine of N150M in addition was imposed on Dr Williams. The US\$6,520,190 in (4) was purportedly forfeited to the Federal Military Government. Dr Williams was lured to Nigeria so that he could be arrested and tried in *fraudem legis* and thereby pave the way for (4), (5) herein and (6) below to be translated into reality.
- (6) In addition to (5) above the SSS unlawfully purported to seize Dr Williams immovable and movable assets mostly lands and vehicles in Nigeria and CBN purported to freeze and seize Dr Williams' Naira Balances in all Banks in Nigeria and transferred the same to the account and/or coffers of Nigerian Government in Nigeria to the tune of N5,013,316M.
- (7) These measures (3), (4), (5) and (6) were purported by both the SSS and CBN in anticipation that the C-in-C would uphold and/or ratify the actions taken unlawfully as above narrated.
- (8) As a result of concerns voiced in Security arms of the Federal Military Government and other well meaning members of the body politic, the C-in-C set up a Special Judicial Review Panel (SJRP) in early 1993. The Hon Chief Justice of the Federation, the President of the Court of Appeal and the Attorney General of the Federation Hon. Clement Akpamgbo (SAN) assisted the Government to choose members of the SJRP to revisit the whole trial of Dr Williams and make recommendations as to what is fit and proper to do to ensure that justice is done and wrongs righted by the C-in-C.

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- (9) The SJRP found Dr Williams to be absolutely, fully and completely innocent of the offences for which he was charged, convicted and fined in (5) and (6) above and condemned the conduct of SSS and the CBN in (3), (4), (5), (6) and (11).
- (10) In the event, the C-in-C accepted in all its totality the findings of SJRP and refused to confirm the measures in (3), (4), (5) and (6) above.
- (11) In another development in anticipation that Dr Williams conviction, imprisonment and fine would be upheld by the C-in-C and that Dr Williams would not be able to pay the fine (Dr Williams having fled the country in November 1989), and in part satisfaction of the fine so imposed on the said Dr Williams the CBN and SSS again conspired and CBN seized all Dr Williams Naira balances standing to Dr Williams credit in his accounts (both private and corporate) in the relevant banks in Nigeria to the tune of N5,013,316M. Again as stated by SJRP **"those brazen acts of unlawful conspiracy were played out by CBN and SSS with incredible acceleration and mindless impunity and in reckless and lawless disregard of constituted authority"**.
- (12) The C-in-C found the conduct in (1) and measures in (2), (3), (4), (5) and (11) unconscionable, reprobate and unacceptable by any standard of moral calculus in a civilized society or reasonably justifiable if a well ordered society is to be founded in Nigeria, which is the primary goal of the present regime in moving the society towards multi cultural and multi national democracy with emphasis on nation building, equality of citizenry and the establishment of good governance bound by Rule of Law.
- (13) The C-in-C has therefore ordered the pardon of Dr Williams as of right and innocence not ex gratia and therefore ordered all assets purportedly forfeited to FMG to be returned to Dr Williams. These purportedly forfeited proceeds are tainted and too dirty for retention by the FMG or indeed by any government mindful of its overriding obligations and protection of its citizens or to the public and world at large within Nigeria as per Extraordinary Gazette dated 7 September, 1993.

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- (14) The CBN therefore is ordered and herein has consented to act with utmost good faith and assurance and to return to Dr Williams the following sums of money: -
- (a) US\$6,520,190 with interest fixed 17½ % compound interest on roll over basis from 1986.
 - (b) N5,013,316M (with compound interest fixed at 25% on rollover basis.
 - (c) The rate of exchange of US Dollars to Naira is fixed at 0.85N. That is to say, US\$5,880,611 is equivalent to the Naira in (b) the regime of Dollar in (a) will apply. If the Naira is not to be paid in Naira, then the rate of interest is to be fixed at 17½% compound interest on rollover basis.
- (15) The C-in-C orders CBN to hold and CBN accepts that CBN is holding the proceeds and sums in (14) as a custodian for Dr Williams and would with utmost good faith release the same to Dr Williams not only on demand but also by CBN reaching out to Dr Williams as a matter of duty.
- (16) For the avoidance of doubt the present address of Dr Williams in the UK is: -

Dr L.E. Williams
25 Tresham Crescent
London NW8
UK

In any event, the CBN is ordered and hereby consents that if it is any difficulty in effecting payment as a matter of last resort it shall employ a solicitor in England and Wales to deposit the proceeds of the sum in the UK HM Royal Court of Justice to await Dr Williams formal application to retrieve (14) in the UK *mutatis mutandis* as the case may be according to the Law, Rules and Regulations governing such issues and matters in the UK.

- (17) It is the duty of the CBN to seek out and communicate to Dr Williams all information relating to the proceeds of the sums in (14) above - Since the FMG will normally seek to protect the image of the country and would not like because of the improprieties, irregularities and deviancies of the CBN and SSS to tarnish Nigeria's worldwide image by the internationalisation and publication of sensitive and unpalatable internal memoranda of Nigerian Public Service.

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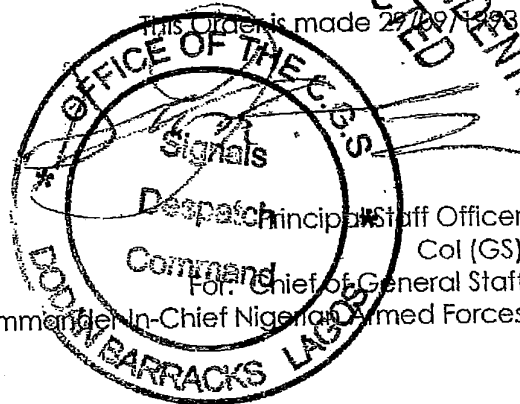
- (18) In the unlikely event of any proceedings to recover the proceeds of money in (14) above both the CBN and the Nigerian State recognise that the monies were monies obtained by the CBN by fraud, deception and racketeering influenced scheme of premeditated felony. Accordingly in any proceedings in any jurisdiction to enforce any judgement obtained in relation thereto both the CBN and the Nigerian State shall refrain from raising any objection on the grounds that Dr Williams is precluded from levying execution on funds of CBN merely because the funds are funds of Nigerian State and/or Central Bank or that such objection is privileged under any international treaty or convention to which the Nigerian State is a party.
- (19) To the extent that the amounts in (14) above remain unpaid (together with interests and/or other legally permissible incidental addenda as ordered by court of competent jurisdiction or where agreement has been reached in respect of such financial incidentals) then any account upon which enforcement action is pursued be it in Nigeria or outside Nigeria shall be deemed to belong to Nigerian State and/or CBN less the amounts in (14) above.
- (20) Therefore for the avoidance of doubt, both the Nigerian State and CBN must be deemed to have waived any immunity from levying of execution on amount kept in the name of CBN or State of Nigeria or any institution of Nigeria (save diplomatic) to the extent to which any amount in (14) above remains unpaid.
- (21) In the unlikely event, if and when Dr Williams is constrained to take legal proceedings to secure and enforce the release of his monies in (14) above the FMG orders and CBN herein agrees that: -
- (i) It would be a matter for Dr Williams to make a choice of his forum for that purpose be it the UK or Nigeria or any other country.
 - (ii) (2) English Law is to apply in (21) (i) above.
 - (iii) Neither the Nigerian State nor the CBN shall raise or invoke any defences so as to deprive Dr Williams of his monies in (14) above or make it financially onerous and burdensome such as requiring Dr Williams to deposit security for costs or suffer from CBN's objections or pleadings such as effluxion of time,

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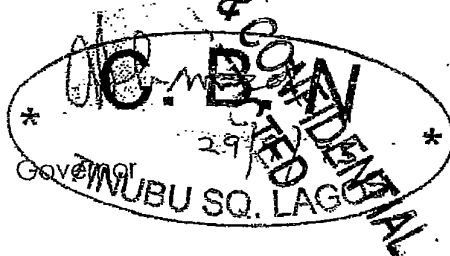
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acts of state, state privileges, state secrecy and state immunities and the like. All these defences and the like shall be deemed to have been waived without any equivocation and doubt whatsoever.



Noted and Accepted by CBN



ADOPTED BY A.F.R.C
APPROVED BY C.I.N.C.
PROMULGATED BY AGF.

cc: Supreme Headquarters
Aso Rock Abuja & Lagos x 2

Office of the Attorney General of the Federation
Marina Lagos

Permanent Secretary
Federal Ministry of Finance
Customs House, Lagos

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